

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ORDER
04-CR-156

BHAVESH KAMDAR,

Defendant.

The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(A). On August 4, 2009, Magistrate Judge McCarthy filed a Report and Recommendation, recommending that defendant's motion to dismiss the indictment be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties. Objections were filed by defendant, however, they were subsequently withdrawn. Therefore, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, defendant's motion to dismiss the indictment is denied.

The parties shall appear for a meeting to set a trial date at 9:00 a.m. on Friday, August 7, 2009.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: August 5, 2009